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1973-1975

PUBLIC DEFENDER
OF LOS ANGELES COUNTY

BIENNIAL REPORT
1973/74 - 1974/75

RICHARD S. BUCKLEY
PUBLIC DEFENDER

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PREFACE

This Biennial Report for 1973/74 - 1974/75 includes data reflecting the growth in activities for the Public Defender for the 6-year period 1969/70 - 1974/75. The additional data indicate the substantial changes which have expanded the provision of public defender legal services as a result of legislation and appellate court decisions.

Richard S. Buckley

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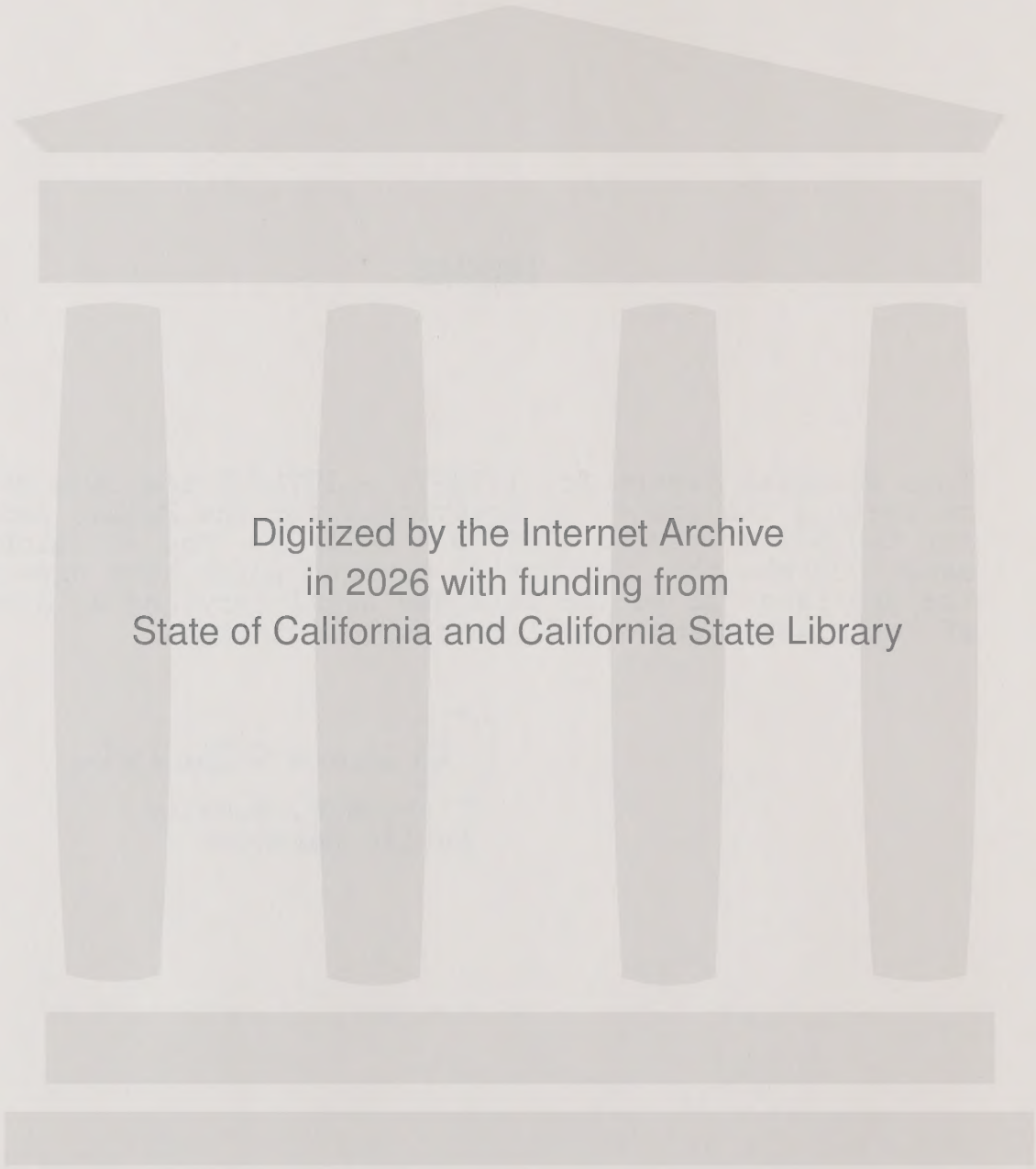
Public Defender



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BIENNIAL REPORT 1973/74 - 1974/75

The Public Defender provides legal representation to all persons, including juveniles, who are financially unable to furnish counsel for court proceedings. Services include representation in criminal, juvenile, mental illness and civil proceedings. The legal authorization for the Public Defender operation is provided in Government Code Sections 27700-27711, and County Charter Article IV Section 14 and Article VI Section 23.

In 1974/75, the Public Defender provided services to a County court system consisting of approximately 260 courts involved in criminal proceedings and other civil courts, as well as appellate services to the State court system. These services were provided from 39 Public Defender office locations.

County Courts Serviced	Number
Superior	102
Municipal	157
Justice	1
Total	260

Direct Budget Expenditures, Staffing, and Workload for the report period 1973/74 - 1974/75 are summarized:

Budget Expenditures, Staffing and Workload

1973/74 - 1974/75

Item	1973/74	1974/75
Budget Expenditures	$11,705,388	$12,701,807
Staffing	558.5	575.5
Workload		
Case/Proceedings	232,132	245,404
Investigations	19,387	20,192

Workload Trends

The overall workload trend continued to reflect an increase for the period 1973/74 - 1974/75. The felony caseload appeared to stabilize after the decline shown in the previous period; however, the type of representation changed in complexity and an increase in more serious accusations developed. Representation in misdemeanor cases continued to rise as court caseloads increased. The juvenile justice area realized the most significant changes in attorney representation because of the demand by the community and the courts to provide juveniles with legal representation equal to that of an adult.

Juvenile Services Expansion

The most significant change during the report period of 1973/74 - 1974/75 was the expansion of juvenile activities. During this period, problems related to the juvenile justice system increased--congested court facilities, insufficient number of separate court facilities, poor detention facilities, and the lack of sufficient defense staffing to provide proper legal representation. The County has now made corrections in all of these areas.

Because of our primary concern for providing proper legal defense representation for juvenile defendants, we requested the Board of Supervisors to upgrade the juvenile defense staffing to equal that provided adults. On March 21, 1973, our letter to the Board of Supervisors pointed out the serious, current problems in representing juveniles. We noted that although the total trial cycle in the juvenile system must be completed within the short time period of three weeks as contrasted to eight weeks for adults, there was less staff budgeted to accomplish this work. We concluded that additional attorney, investigative, and clerical staffing was needed to provide the additional staff time requirements to prepare a proper legal defense for juveniles within the time constraints.

Effective July 1, 1975, the Board of Supervisors approved the 1975-76 budget which included an upgrading of juvenile defense services similar to that provided adults. The attorney ratio was increased from 1.3 to 2 attorneys per juvenile court--the same as that for adult defense. And, additional investigative and clerical support staff were provided. We believe that these adjustments will greatly alleviate many of the problems

encountered by defense counsel in representing juvenile defendants in the past.

Adult Services for Small Offices

Although the Board of Supervisors resolved the current defense staffing problems in the various offices of the County-wide juvenile system, it is hoped that the same principle of providing support staff for juvenile offices will apply to adult offices. At present, the following adult offices located throughout the County cannot stay open from 8 a.m. to 5 p.m. because of no secretarial staffing:

Burbank	Malibu
Culver City	Monrovia
Glendale	Newhall
Lancaster	South Gate

The lack of budgeted secretarial staffing in these areas has seriously hampered the provision of attorney services since such secretarial services must be obtained either by mail, telephone or visit to a branch office many miles distant. Furthermore, services to the public in these offices are limited to the time the attorneys are not in court.

Because of the increasing demand for legal defense services, it is believed that the small office staffing deficiency will soon be corrected by the approval of additional budgeted staffing.

SUMMARY OF

BUDGET EXPENDITURES, STAFFING AND WORKLOAD

1969/70 - 1974/75

					------Report Period------	
Budget Expenses	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75
Salaries	$6,052,022	$7,826,285	$9,323,200	$9,968,816	$11,369,302	$12,330,564
Services & Supplies	212,942	233,928	247,229	318,754	324,806	362,659
Equipment	22,857	19,298	8,335	11,373	11,280	8,584
Total	$6,287,821	$8,079,511	$9,578,764	$10,298,943	$11,705,388	$12,701,807
Staffing	433.7	495.0	513.5	554.0	558.5	575.5
Workload						
Case/Proceedings	155,959	198,846	209,653	221,644	232,132	247,220
Investigations	16,577	17,814	15,665	17,574	19,387	20,192

------Report Period------

Note: Revenue

Revenue is not credited directly to the Public Defender budget. However, it is credited to the County by the Auditor-Controller. The source of revenue is primarily based on a 10% reimbursement by the State for local criminal defense activities from available State monies. However, the percentage received is substantially below that authorized. Such reimbursement is based on Public Defender activity and County-paid expenses for assigned counsel appointed by the Superior and Municipal Courts. Revenue received: 1969/70 - $209,306, 1970/71 - $380,651, 1971/72 - $390,280, 1972/73 - $328,912, 1973/74 - $362,969, 1974/75 - $320,840.

CASE/PROCEEDINGS WORKLOAD BY TYPE

1969/70 - 1974/75

Case/Proceedings	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75
					-----Report Period-----	
Felony						
Arraignments/Prelim. Hrgs.	36,321	41,470	33,300	29,260	22,004	21,869
Arraignments/Trials Sup. Ct.	24,990	26,814	20,942	19,703	15,690	15,743
Narcotic Diversion - Sup. Ct.[1]	-	-	-	29	83	25
Probation Violations - Sup. Ct.	3,867	4,772	7,116	8,081	9,244	10,399
Appeals - Ct. of App./Supreme[2]	168	234	308	341	492	451
Rehabilitation - Sup. Ct.[2]	399	346	249	140	123	75
Diversion Prog. Rep. - Sup. Ct.[1]	-	-	-	-	96	135
Misdemeanor						
Arraignments/Trials[3]	53,092	93,328	117,437	105,569	89,172	100,249
Arraignments/Trials - Traffic[4]	-	-	-	24,038	57,208	64,033
Narcotic Diversion - Mun. Cts.[1]	-	-	-	164	442	228
Appeals - Sup. Ct.[2]	90	91	102	176	367	403
Probation Violations - Mun. Cts.[1]	-	-	-	-	-	11
Diversion Prog. Rep. - Mun. Cts.[1]	-	-	-	-	32	61
Juvenile						
Petitions - Sup. Ct.	24,920	19,508	18,767	22,565	25,062	19,846
Other						
Civil - Sup./Mun. Cts.[2]	6,935	6,295	5,443	4,836	4,992	5,122
Conservatorship - Sup. Ct.[4]	-	-	-	760	1,903	2,193
Conservatorship Acct. - Sup. Ct.[1]	-	-	-	286	343	1,041
Fugitive Warrants - Mun. Ct.	259	497	315	578	615	740
Mental Illness - Sup. Ct.	2,092	2,828	3,309	2,449	1,324	1,598
Misc. - Sup./Mun./Just. Cts.	1,079	910	1,258	1,656	2,048	2,289
Narcotic Referrals - Sup. Cts.	1,756	1,753	1,107	1,013	892	709
Total	155,959	198,846	209,653	221,644	232,132	247,220
					-----Report Period-----	

Notes:
1 - New proceedings
2 - See following pages for additional data
3 - Misdemeanor data based on estimated/actual data for 1969/70 - 1970/71
4 - Not reported separately in prior years - 6 mos. Jan. - June, 1973

APPELLATE WORKLOAD BY TYPE OF PROCESS

1969/70 - 1974/75

Proceeding	1969/70	1970/71	1971/72	1972/73	1973/74 (Report Period)	1974/75 (Report Period)
Felony Appeals - Court of Appeals/ Cal. Supreme	168	234	308	341	492	451
Misd. Appeals/ Sup. Ct.	90	91	102	176	367	403
Total	258	325	410	517	859	854

Appellate Division

The Appellate Division prosecutes appeals to a higher court when it is reasonably expected to result in the reversal or modification of the judgment of conviction. As indicated in the table, the felony appellate workload has increased substantially in recent years.

CIVIL WORKLOAD BY TYPE OF PROCESS

1969/70 - 1974/75

Proceeding	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75
					-----Report Period-----	
Accepted Cases	451	656	786	610	593	488
Advice	4,612	4,125	3,286	3,147	3,230	3,637
Divorce Contempts[1]	-	-	-	177	295	376
Referrals to Private Attorneys, etc.	1,872	1,514	1,371	902	874	621
Total	6,935	6,295	5,443	4,836	4,992	5,122
					-----Report Period-----	

Civil Division

The Civil Division represents claimants financially unable to employ counsel in civil cases where the sum involved does not exceed $100. It also defends persons who are financially unable to employ counsel in civil litigations in which the persons are being persecuted or unjustly harassed.

The civil workload is restricted to the Los Angeles Civic Center Office because of insufficient staffing. Civil inquiries received by branch offices are referred to local Bar or Legal Aid Associations.

Note 1:

Not reported separately in prior years.

INVESTIGATION WORKLOAD BY TYPE

1969/70 - 1974/75

Type of Investigation	1969/70	1970/71	1971/72	1972/73	1973/74 (Report Period)	1974/75 (Report Period)
Conservatorship Acctg. Audit[1]	-	-	-	228	404	947
Felony	9,759	10,667	9,239	10,176	7,128	7,238
Juvenile[2]	-	-	-	-	3,520	3,622
Misc. Felony and Civil	682	726	1,034	1,112	748	770
Misdemeanor	2,184	2,885	4,102	4,246	4,922	5,674
Other Inquiries/ Investigations	3,952	3,536	1,290	1,812	2,665	1,941
Total	16,577	17,814	15,665	17,574	19,387	20,192

Investigation Division

The Investigation Division performs investigative work for adult and juvenile cases. At present, the majority of staffing is allocated to performing felony investigations. Misdemeanor investigations were initiated in August 1966. The workload listed in the table for Other Inquiries/Investigations involves principally, data collection activities which require a minimum amount of time.

Notes:

1 - New Proceeding, 1/15/73
2 - Not reported separately in prior years.

REHABILITATION WORKLOAD BY TYPE OF PROCESS

1969/70 - 1974/75

Proceeding	1969/70	1970/71	1971/72	1972/73	1973/74 (Report Period)	1974/75 (Report Period)
New Cases - Felony[1]	399	346	249	140	123	75
Certificates Granted	31	23	32	25	25	4
Closed Cases Other Than Certificates Granted	114	117	241	88	28	26

Rehabilitation

Sections 4852.01 - 4852.21 of the Penal Code provide procedures for a felony defendant to obtain a Certificate of Rehabilitation and application for Pardon. The Public Defender is required under this section, to provide assistance to a defendant in obtaining the Certificate of Rehabilitation which is processed in the Superior Court.

Note 1:

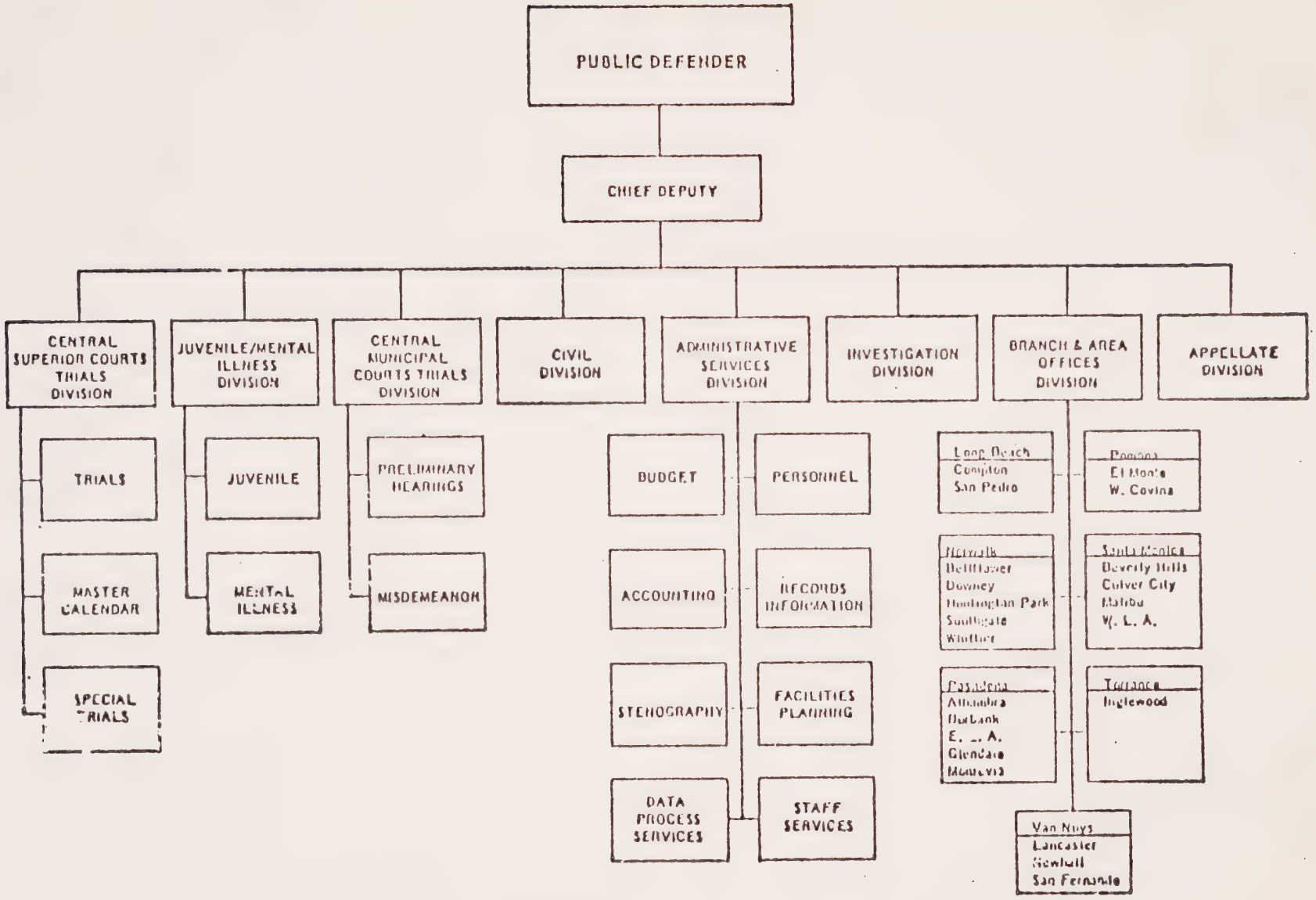
Fewer cases were filed in 1973/74 - 1974/75 because of revisions in the Penal Code which required changes in filing and procedure to obtain Certificate of Rehabilitation.

PUBLIC DEFENDER

OF LOS ANGELES COUNTY

ORGANIZATION CHART

1975



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